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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,244	08/18/2003	Sheng-Chih Lai	0941-0809P	8162
2292	7590	01/13/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			COLEMAN, WILLIAM D	
			ART UNIT	PAPER NUMBER
			2823	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/642,244	LAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	W. David Coleman	2823	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 October 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 12-19 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                            |                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                       | Paper No(s)/Mail Date. _____.                                               |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>08/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|                                                                                                                                            | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election of Group I, claims 1-11 in the reply filed on October 29, 2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson, U.S. Patent 6,525,953 B1.

4. Johnson discloses a semiconductor device as claimed. See FIGS. 1-17, where Johnson teaches the claimed invention.

5. Pertaining to claim 1, Johnson teaches a mask read only memory containing diodes, comprising:

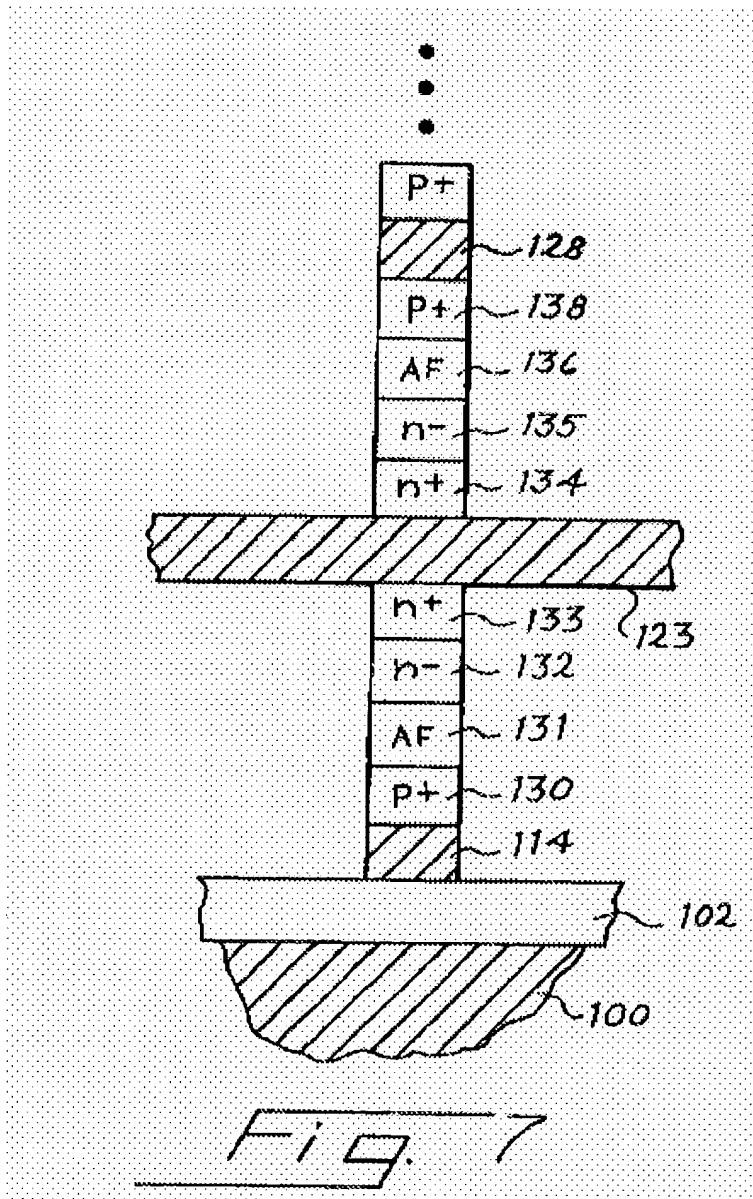
a semiconductor substrate 100;

an insulating layer 102 on the semiconductor substrate;

a plurality of first conductive lines 114 along a first direction on the insulating layer;

a plurality of vertical diodes 12 on the first conductive lines;

a plurality of dielectric layers 120 on part of the diodes; and  
a plurality of second conductive lines 123/128 along a second direction on the dielectric layers and the diodes, wherein the first direction is perpendicular to the second direction.



6. Pertaining to claim 2, Johnson teaches the mask read only memory containing diodes as claimed in claim 1, wherein the diodes are PN diodes.

7. Pertaining to claim 3, Johnson teaches the mask read only memory containing diodes as claimed in claim 2, wherein the PN diodes comprise two polysilicon layers of opposing conductive types.

8. Pertaining to claim 4, Johnson teaches the mask read only memory containing diodes as claimed in claim 1, wherein the insulating layer is silicon dioxide, aluminum oxide ( $\text{Al}_2\text{O}_3$ ), silicon nitride ( $\text{Si}_3\text{N}_4$ ), tantalum pentoxide ( $\text{Ta}_2\text{O}_5$ ), barium strontium titanate (BST), hafnium oxide ( $\text{HfO}_2$ ), or titanium dioxide ( $\text{TiO}_2$ ) .

9. Pertaining to claim 5, Johnson teaches the mask read only memory containing diodes as claimed in claim 1, wherein the first conductive lines are bit lines and the second conductive lines are word lines (column 4, lines 60-63).

10. Pertaining to claim 6, Johnson teaches the mask read only memory containing diodes as claimed in claim 1, wherein the dielectric layers are silicon dioxide, aluminum oxide ( $\text{Al}_2\text{O}_3$ ), silicon nitride ( $\text{Si}_3\text{N}_4$ ), tantalum pentoxide ( $\text{Ta}_2\text{O}_5$ ), barium strontium titanate (BST), hafnium oxide ( $\text{HfO}_2$ ), or titanium dioxide ( $\text{TiO}_2$ ) .

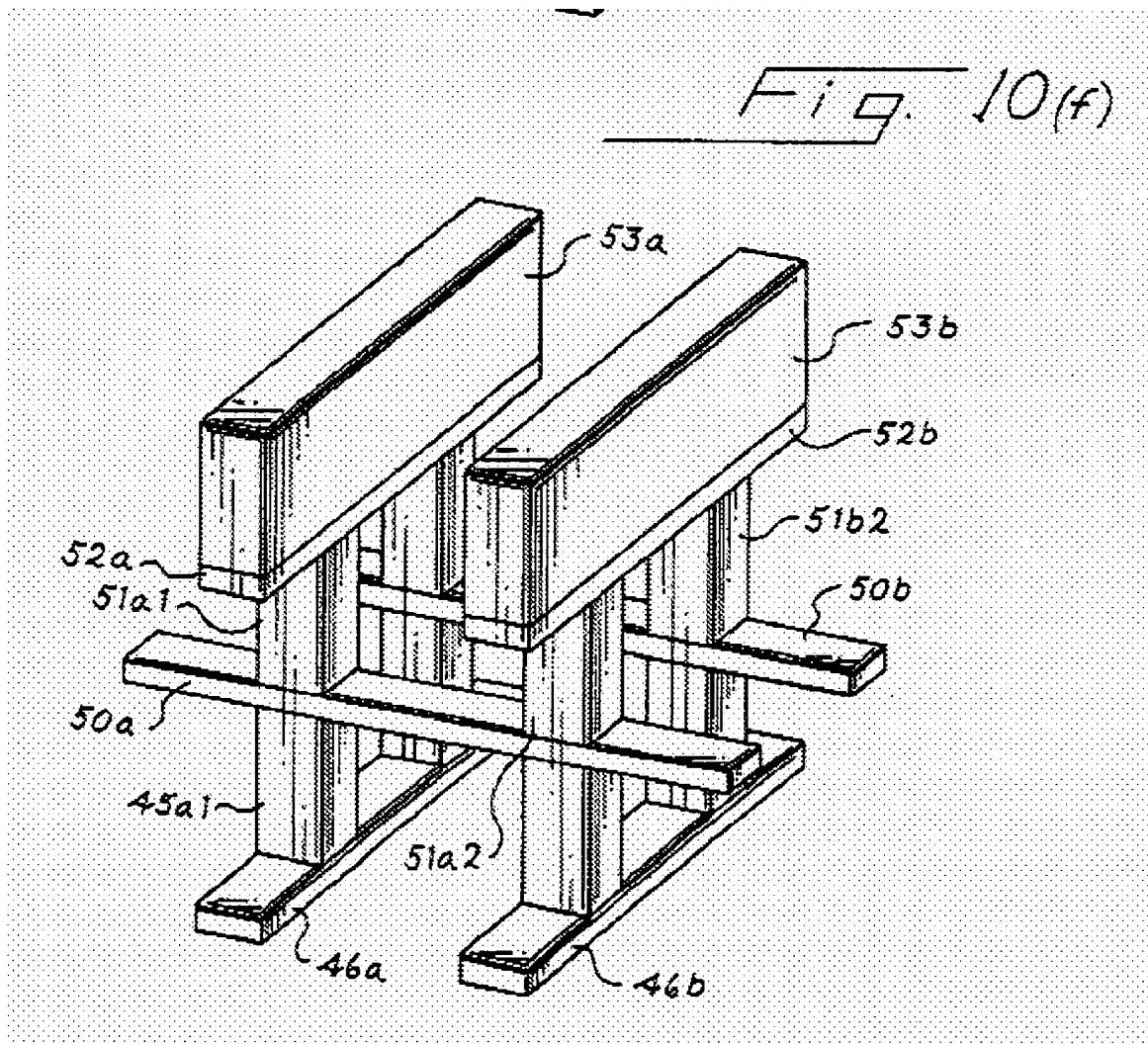
11. Pertaining to claim 7, Johnson teaches the mask read only memory containing diodes as claimed in claim 1, comprising: a semiconductor substrate;

an insulating layer on the semiconductor substrate; and

at least two memory cell layers stacked on the insulating layer wherein there is a separating layer between any two memory cell layers to provide insulation and wherein each memory cell layer comprises:

a plurality of first conductive lines along a first direction on the insulating layer;

a plurality of vertical diodes on the first conductive lines; a plurality of dielectric layers on part of the diodes; and a plurality of second conductive lines along a second direction on the dielectric layers and the diodes, wherein the first direction is perpendicular to the second direction, wherein any two adjacent upper and lower diode layers are disposed opposite to one another so that two sides thereof of opposing conductive type face each other.



12. Pertaining to claim 8, Johnson teaches the mask read only memory containing diodes as claimed in claim 7, which comprises 2 to 10 memory cell layers.

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13. Pertaining to claim 9, Johnson teaches the mask read only memory containing diodes as claimed in claim 7, wherein the separating layer is silicon dioxide, aluminum oxide ( $\text{Al}_2\text{O}_3$ ), silicon nitride ( $\text{Si}_3\text{N}_4$ ), tantalum pentoxide ( $\text{Ta}_2\text{O}_5$ ), barium strontium titanate (BST), hafnium oxide ( $\text{HfO}_2$ ), or titanium dioxide ( $\text{TiO}_2$ ).

14. Pertaining to claim 10, Johnson teaches the mask read only memory containing diodes as claimed in claim 1, comprising:

a semiconductor substrate;

an insulating layer on the semiconductor substrate;

n diode layers stacked on the insulating layer, wherein n is an integer equal to or greater than 2 and each diode layer comprises a plurality of vertical diodes and a plurality of dielectric layers on part of the diodes; and

(n + 1) parallel conductive layers disposed between the bottom diode layer and the insulating layer, on the top diode layer, and between any

two adjacent diode layers respectively, wherein the (n + 1) parallel conductive layers are disposed so that any two adjacent conductive layers are perpendicular to each other, wherein any two adjacent upper and lower diode layers are disposed opposite to one another so that two sides of matching conductive type face each other (also see column 7, lines 35-53).

15. Pertaining to claim 11, Johnson teaches the mask read only memory containing diodes as claimed in claim 10, wherein n is between 2 and 10.

***Conclusion***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to W. David Coleman whose telephone number is 571-272-1856. The examiner can normally be reached on 9:00 AM-5:00 PM.
17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 571-272-1855. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



W. David Coleman  
Primary Examiner  
Art Unit 2823

WDC